

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
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 or **Fax** (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All other correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

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7590

07/12/2006

David Lowry
 Brown Rudnick Freed & Gesmer
 One Financial Center, 18th Floor
 Box IP
 Boston, MA 02111

09/27/2006 EAREGAY2 00000041 500369 10682176

01 FC:2501 700.00 DA
 02 FC:1504 300.00 DA
 03 FC:0001 15.00 DA

FILING DATE

FIRST NAMED INVENTOR

ATTORNEY DOCKET NO.

CONFIRMATION NO.

10/682,176

10/09/2003

Erik J. Bartone

70406/2-CON

7312

TITLE OF INVENTION: SYSTEM AND METHOD FOR MONITORING AND CONTROLLING ENERGY USAGE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700	\$300	\$0	\$1000	10/12/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
HOLLOWAY III, EDWIN C	2612	340-003900

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 David D. Lowry

2 Joseph P. Quinn

Brown Rudnick
 3 Berlack Israels LLP

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

NXGEN, INC.

MIDDLETOWN, CT

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

☒ Issue Fee

☒ Publication Fee (No small entity discount permitted)

☒ Advance Order - # of Copies 5

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

☐ A check is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 50-0369 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☒ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date

Typed or printed name

David D. Lowry

Registration No.

38,538

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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TRANSMITTAL OF PAYMENT OF ISSUE FEE (Small Entity)
(37 C.F.R. §1.311)

Docket No.
70406/2-CON

In Re Application Of: Bartone et al.

Serial No.	Filing Date	Examiner	Group Art Unit	Confirmation No.
10/682,176	October 9, 2003	Holloway III, Edwin C.	2612	7312

Invention:

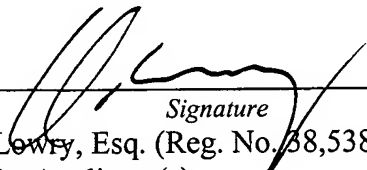
SYSTEM AND METHOD FOR MONITORING AND CONTROLLING ENERGY USAGE

TO THE COMMISSIONER FOR PATENTS
P.O. Box 1450, Alexandria, VA 22313-1450
Attention: Mail Stop Issue Fee

Transmitted herewith are the following for the above-identified application.

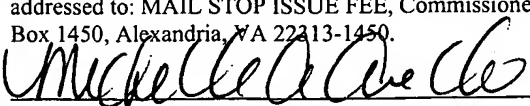
- ☒ Issue Fee Transmittal Form PTOL-85
- ☒ Utility Fee \$700.00 Design Fee \$ Plant Fee \$
- ☒ Publication Fee \$300.00
- ☐ A check in the amount of _____ is attached.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0369. A duplicate copy of this sheet is enclosed.
- ☒ Other 5 advanced order of copies \$15.00
- ☐ Other _____

Dated: 9/22/06


Signature
David D. Lowry, Esq. (Reg. No. 38,538)
Attorney for Applicant(s)
Customer No. 21710
Brown Rudnick Berlack Israels LLP
One Financial Center
Boston, MA 02111
Phone: 617-856-8399
Fax: 617-856-8201
Email: ip@brownrudnick.com

Certificate of Mailing

I hereby certify that this document (and any other document being attached) and fee is being deposited on the date shown below with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to: MAIL STOP ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Signature
Michelle A. Aiello
Printed Name

September 20, 2006
Date